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January 10, 2008

**By Facsimile ((212) 805-7941)**

Hon. Loretta A. Preska  
United States District Judge  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street, Room 1320  
New York, NY 10007

**Re: UBS AG, Stamford Branch v. HealthSouth Corp., 07 Civ. 8490 (LAP)**

Dear Judge Preska:

Our client, Defendant HealthSouth Corp. ("HealthSouth"), is scheduled to file its opposition to the summary judgment motion of Plaintiff UBS AG, Stamford Branch ("UBS AG"), next Friday, January 18, 2008. As discussed with the Court at the conference on November 20, 2007, we also plan to file at that time a cross-motion to dismiss or stay this action in deference to a first-filed action in Alabama state court.

After conferring with counsel for the plaintiff, we respectfully request on behalf of both parties that HealthSouth be permitted to file a combined brief, not to exceed 30 pages, in opposition to UBS AG's motion for summary judgment and in support of HealthSouth's cross-motion to dismiss or stay, and that UBS AG be permitted to file a combined brief, not to exceed 30 pages, in reply to HealthSouth's opposition brief on the summary judgment motion and in opposition to HealthSouth's cross-motion to dismiss or stay.

Thank you for your attention to this matter.

So ordered  
Loretta A. Preska  
USDC

Respectfully submitted,

Gregory P. Joseph

Gregory P. Joseph

January 13, 2008  
cc: Robert J. Giuffra, Jr., Esq., Counsel for UBS AG (by facsimile)